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REED SMITH LLP
A limited liability partnership formed in the State of Delaware

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN D. VILLA, JR.,

Plaintiff,

vs.

LINDA ROWE; JENNIFER SWINEY;
BHAWNA JAIN; CLAIRE WILLIAMS; VICKI
FOWLER; AUGUSTE REALLON; SHIRLEY
KEYS; JOSEPH KRAVITZ; MAUREEN
McLEAN; and R. SNYDER,

Defendants.

No.: C07-01436 WHA

**[PROPOSED] WRIT OF HABEAS CORPUS
AD TESTIFICANDUM**

Trial Date: July 18, 2011
Time: 7:30 a.m.
Place: Courtroom 9
Judge: Hon. William Alsup

1 John Daniel Villa, Jr., inmate no. J-38001, a necessary and material party in the proceedings
2 in this case, is confined in Ironwood State Prison, A1-249, P.O. BOX 2199, Blythe, California
3 92226. He is the Plaintiff in this matter. To provide Mr. Villa's attorneys sufficient time before
4 trial to meet with Mr. Villa in person to prepare for the case it is necessary that a Writ of Habeas
5 Corpus Ad Testificandum issue commanding the custodian to produce Mr. Villa to San Quentin,
6 California 94964 at a time before trial, which is scheduled to begin July 18, 2011. This would
7 enable Plaintiff's counsel to meet with him on two separate days for a minimum of three hours each
8 day. To secure his participation it is necessary that a Writ of Habeas Corpus Ad Testificandum issue
9 commanding the custodian to produce Mr. Villa before this court, Courtroom 9, 19th Floor, United
10 States Courthouse, 450 Golden Gate Ave., San Francisco, California 94102 on July 18, 2011 at 7:30
11 a.m. and each day thereafter through the duration of his trial.

12 Accordingly, **IT IS ORDERED** that:

- 13 1. A Writ of Habeas Corpus Ad Testificandum Issue, under the seal of this court, commanding
14 the Warden of Ironwood State Prison, A1-249, P.O. Box 2199, Blythe, California 92226 to produce
15 the inmate to California State Prison, San Quentin located at San Quentin, California 94964 at a time
16 prior to trial, which is scheduled for July 18, 2011, at least two attorney visiting days in advance of
17 July 18, 2011 so that Mr. Villa can meet with his attorney(s) at least twice prior to July 18, 2011;
- 18 2. A Writ of Habeas Corpus Ad Testificandum Issue, under the seal of this court, commanding
19 the Warden of Ironwood State Prison, A1-249, P.O. Box 2199, Blythe, California 92226 to produce
20 the inmate before this court, Courtroom 9, 19th Floor, United States Courthouse, 450 Golden Gate
21 Ave., San Francisco, California 94102 on July 18, 2011 at 7:30 a.m. and from day to day until the
22 completion of court proceedings as ordered by the Court under the custody of the Federal Marshal;
- 23 3. It is further ordered that Mr. Villa's designation as a "Special Needs" inmate must stay in
24 place at all times while he is located or housed at San Quentin State Prison, the U.S. District Court
25 for the Northern District of California, and any other facility or location it is necessary to take Mr.
26 Villa in order to implement this writ. As a "Special Needs" inmate, Mr. Villa is not to be housed or
27 transported with anyone in the General Prison Population, including during his transportation from
28 and to Ironwood State Prison.

1 4. The Clerk of Court is ordered to serve a courtesy copy of this order and Writ of Habeas Ad
2 Testificandum on the Out To Court Desk of Ironwood State Prison, A1-249, P.O. Box 2199, Blythe,
3 California 92226.

4 5. Upon completion of the trial in this civil rights action, and upon satisfaction of this writ by
5 the Court, the United States Federal Marshal return John D. Villa, Jr. to State Officers so that they
6 may return him to Ironwood State Prison under safe and secure conduct.

7 6. Ironwood State Prison, the Sheriff's Department, the United States Marshal, and the United
8 States Bureau of Prisons shall each bear their respective costs of implementation of the terms of this
9 writ and that the United States Marshal shall provide all necessary security for the custody of John
10 D. Villa, Jr., so long as he is in the temporary custody of the Court.

11 I **COMMAND** you to produce the inmate named above to appear before the United States
12 District Court at the time and place named above; and thereafter to return the inmate to the above
13 institution.

14 Further, you are **ORDERED** to notify the Court of any change of custody of the inmate and to
15 provide the new custodian with a copy of this writ.

16
17 DATED: May 24, 2011.



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19 Honorable William Alsup
20 District Judge, U.S. District Court for the Northern
21 District of California
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